Appendix III

[*Vide* item VII (1)]

L.A. Bill No. 45 of 1970

[As passed by the Assembly]

A Bill further to amend the Tamil Nadu Hindu Religious and Chartiable Endowments Act, 1959.

Be it enacted by the Legislature of the State of Tamil Nadu in the Twenty-first Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Act, 1970.

2. *Amendment of section* 55, *Tamil Nadu Act* 22 *of* 1959.—In section 55 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959) (hereinafter referred to as the principal Act),—

(1) (*i*) in sub-section (1), for the words "in cases where the office or service is not hereditary," the words "in all cases" shall be substituted ;

(*ii*) to sub-section (1), the following Explanation shall be added, namely :—

"*Explanation.*—The expression 'office holders or servants' shall include archakas and pujaries." ;

(2) for sub-section (2), the following sub-section shall be substituted, namely :—

"(2) No person shall be entitled to appointment to any vacancy referred to in sub-section (1) merely on the ground that he is next in the line of succession to the last holder of the office." ;

(3) sub-section (3) shall be omitted ;

(4) in sub-section (4), for the expression "sub-section (3)", the expression "sub-section (1)" shall be substituted.

3. *Amendment of section* 56, *Tamil Nadu Act* 22 *of* 1959.—In section 56 of the principal Act,

(1) in sub-section (1), the words "whether the office or service is hereditary or not" shall be omitted ;

(2) sub-section (3) shall be omitted.

4. *Amendment of section* 116, *Tamil Nadu Act* 22 *of* 1959.—In section 116 of the principal Act, in sub-section (2), for clause (xxiii), the following clause shall be substituted, namely :—

[2nd December 1970

"(*xxiii*) the qualifications to be possessed by the officers and servants for appointment to officers in religious institutions and the conditions of service of all such officers and servants;"

5. *Amendment of Schedule, Tamil Nadu Act* 22 *of* 1959.—In the Schedule to the principal Act, under the heading "V. APPEALS TO GOVERNMENT, COMMISSIONER OR DEPUTY COMMISSIONER,"—

(*i*) for the figures and brackets "55 (3)", in the entries in column (2) against the figures and brackets "55 (4)" in column (1), the figures and brackets "55 (1)" shall be substituted;

(*ii*) the figures and brackets "56 (3)" in column (1) and the entries relating thereto in columns (2) and (3) shall be omitted.

6. *Act to apply to existing and future vacancies.*—(1) The provisions of the principal Act as amended by this Act shall apply to vacancies among the office-holders or servants of the religious institutions existing on, or arising after, the date of the publication of this Act.

(2) Any fit person appointed under sub-section (3) of section 55 of the principal Act, as in force immediately before the date of the publication of this Act shall be deemed to have vacated his office, and the vacancy in the post of office/holder or servant shall be filled up in accordance with the provisions of the principal Act, as amended by this Act.

(3) Any appeal pending before the Deputy Commissioner under sub-section (4) of section 55 or before the Commissioner under sub-section (3) of section 56 of the principal Act as in force immediately before the date of the publication of this Act shall abate.

Explanation.—In this section, 'date of the publication of this Act' means the date of publication of this Act in the *Tamil Nadu Government Gazette*.